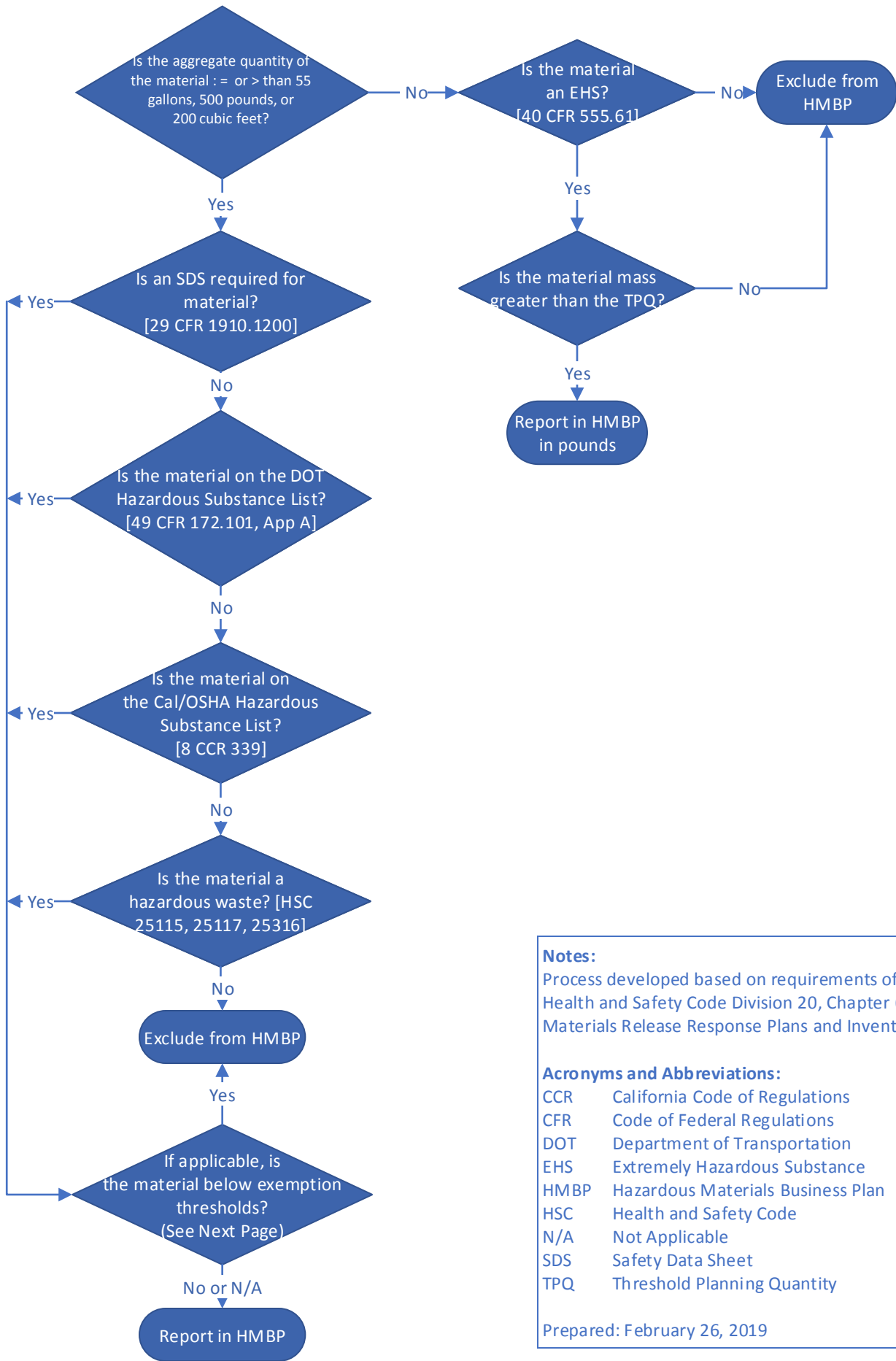


# Reporting Applicability Determination for Materials Hazardous Materials Business Plans (HMBPs)



**Notes:**  
 Process developed based on requirements of California Health and Safety Code Division 20, Chapter 6.95 (Hazardous Materials Release Response Plans and Inventory)

**Acronyms and Abbreviations:**

CCR	California Code of Regulations
CFR	Code of Federal Regulations
DOT	Department of Transportation
EHS	Extremely Hazardous Substance
HMBP	Hazardous Materials Business Plan
HSC	Health and Safety Code
N/A	Not Applicable
SDS	Safety Data Sheet
TPQ	Threshold Planning Quantity

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<b>Hazardous Materials Business Plan Reporting Exemption Summary</b>			
<b>Substance</b>	<b>Exemption<sup>1</sup></b>	<b>California Code Location</b>	<b>Section</b>
Mixtures consisting of <1% of a hazardous material	All amounts exempt	California Labor Code Division 5, Part 1, Chapter 2.5, Article 3	6383(a)(1)
Compressed air used for emergency response and safety	All amounts exempt	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507(b)(2)
Consumer products in a retail establishment (not counting those stored at a distribution center, physically separate warehouse, manufacturing facility, or where a product is dispensed)	All amounts exempt	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507 (b)(5)
Cryogenic, refrigerated, or compressed gas classified as a hazard only for hazards due to simple asphyxiation or the release of pressure	Less than 1,000 cubic feet	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507(a)(5)(A)
Oxygen, nitrogen, and nitrous oxide handled by a physician, dentist, podiatrist, veterinarian, or pharmacist or emergency medical service provider at their place of business	Less than 1,000 cubic feet	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507(a)(5)(B)
Carbon dioxide	Less than 1,000 cubic feet	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507(a)(5)(C)
Nonflammable refrigerant gases used in a refrigeration system	Less than 1,000 cubic feet	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507(a)(5)(D)
Gases in closed fire suppression systems	Less than 1,000 cubic feet	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507(a)(5)(E)
Refrigerants in a closed cooling system (not including ammonia or flammable gases), that are used for comfort or space cooling for computer rooms	All amounts exempt	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507(b)(1)
Fluid in a hydraulic system	All amounts exempt, if aggregate storage of oil at the facility is less than 1,320 gallons	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507(b)(4)(A)
Irritants and sensitizers	Less than 5,000 lbs. (solid) OR Less than 550 gallons (liquid)	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507(a)(4)(A)
Lubricating oil	Less than 55 gal of each type AND Less than 275 gal aggregate	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507(b)(3)(A)
Oil-filled electrical equipment not contiguous to an electric facility	All amounts exempt, if aggregate storage of oil at the facility is less than 1,320 gallons	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507(b)(4)(B)
Recyclable paint	Less than 10,000 lbs. (solid) OR Less than 1,000 gal liquid	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507(a)(4)(B)
Propane used for cooking, heating employee work areas, or heating water at a business	Less than 500 gal (unless required by CUPA)	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507(b)(6)
Combustible metal or metal alloy defined as a combustible dust, flammable solid, or magnesium in the California Fire Code	Less than 100 lbs.	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507(a)(8)(B)
Combustible metal or metal alloy that poses an explosive potential, when in molten form	Less than 500 lbs.	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507(a)(8)(C)
Farms operating for the purpose of cultivating the soil or raising or harvesting any agricultural or horticultural commodity	Exempt from filing the emergency response plans and procedures if provide the business and inventory information to the statewide information system (California Environmental Reporting System) before January 1 of each year; and each building in which hazardous materials subject to HMBP requirements are stored is posted with signs to provide notice of storage of pesticides, petroleum fuels and oil, fertilizers; and training provided to employees.	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507.1(a)

<b>Hazardous Materials Business Plan Reporting Exemptions for Unstaffed Facilities<sup>2</sup></b>			
<b>Substance</b>	<b>Exemption<sup>1</sup></b>	<b>California Code Location</b>	<b>Section</b>
Compressed inert gases	Less than 1,000 cubic feet	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507.2(a)(1)
Combustible liquids used as a fuel source	Less than 500 gal	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507.2(a)(2)
EHS corrosive liquids used as electrolytes in closed containers	Less than 500 lbs.	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507.2(a)(3)

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<b>Hazardous Materials Business Plan Reporting Exemptions for Unstaffed Facilities<sup>2</sup> (Continued)</b>			
<b>Substance</b>	<b>Exemption<sup>1</sup></b>	<b>California Code Location</b>	<b>Section</b>
Lubricating and hydraulic fluids	Less than 500 gal	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507.2(a)(4)
Hydrocarbon gas used as a fuel source	Less than 1,200 gal	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507.2(a)(5)
Mineral oil within electrical equipment	All amounts exempt if SPCC has been prepared for quantities >1,320 gal	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507.2(a)(6)

<b>Not Exempt</b>			
<b>Substance</b>	<b>Exemption<sup>1</sup></b>	<b>California Code Location</b>	<b>Section</b>
Combustible metal or metal alloy that is pyrophoric or water reactive	Reportable in any quantity	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507(a)(8)(A)
Extremely hazardous substances, as defined by the Code of Federal Regulations, Title 40, 355.61	Reportable if handled in quantities equal to or greater than the Threshold Planning Quantity (Appendix A, Appendix B of Part 355) or 500 pounds (whichever is less)	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507(a)(3)
Radioactive materials	Reportable if handled in quantities requiring an Emergency Plan per Schedule C of Part 30, Part 40, or Part 70 of 10 CFR Chapter 1	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507(a)(6)
Lead acid batteries	Report in gallons based on quantities of electrolyte alone	California CUPA forum Unified Program Guidance Document; Lead Acid Battery Inventory Reporting	
Universal waste	Report in aggregate by hazard type		
Perchlorate material (per HSC 25210.5)	55 gallons, 200 cubic feet, 500 pounds	California Health & Safety Code Division 20, Chapter 6.95, Article 1	25507(a)(7) & 25210.5

Notes:

1. All amounts listed in cubic feet are measured at standard temperature and pressure (STP).
2. Exempt if stored at an unstaffed facility located at least 1/2 mile from the nearest occupied structures; facility is secured and not accessible to the public, warning signs are posted pursuant to the California Fire Code